

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MATTHEW R. HUGHES,

No. R42460,

Plaintiff,

vs.

Case No. 14-cv-00426-MJR

PATRICK J. QUINN,

LISA M. MADIGAN,

DIANE L. SALTOUN,

LAURA MILLER,

JOHN H. WANK,

EVELYN DIAZ, and

UNKNOWN PARTY,

Defendants.

MEMORANDUM AND ORDER

REAGAN, District Judge:

On April 10, 2014, Plaintiff Hughes, an inmate in the custody of the Illinois Department of Corrections, housed at Hill Correctional Center, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 (Doc. 1). By Order dated May 9, 2014, the Court concluded that the complaint, as drafted, failed to state a colorable constitutional claim (Doc. 4). Plaintiff's standing to sue was also questioned (Doc. 4).

Plaintiff was directed to file an amended complaint by June 6, 2014 (Doc. 6). He was forewarned that failure to file a proper complaint by the prescribed deadline would result in the dismissal of this action, that such a dismissal would count as one of his allotted "strikes" under

the provisions of 28 U.S.C. § 1915(g), and that Plaintiff would remain obligated to pay the filing fee. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

Plaintiff has not filed a complaint and the deadline for doing so has passed. It appears that Plaintiff has abandoned this action.

IT IS THEREFORE ORDERED that pursuant to Federal Rule of Civil Procedure 41(b), this action is **DISMISSED with prejudice** for failure to comply with a court order and failure to prosecute this action. Furthermore, this action is deemed frivolous for purposes of Section 1915(g); therefore Plaintiff will be allotted a **STRIKE** under the provisions of 28 U.S.C. § 1915(g). Judgment shall enter accordingly and this case will be closed.

IT IS FURTHER ORDERED that Plaintiff remains obligated to pay the filing fee. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

IT IS SO ORDERED.

DATED: July 14, 2014

s/ Michael J. Reagan

MICHAEL J. REAGAN
UNITED STATES DISTRICT JUDGE